## Before the Federal Communications Commission Washington, D.C. 20554

	)	
In the Matter of	)	
	)	
Amendment of Section 73.622(i),	)	MB Docket No. 08-109
Final DTV Table of Allotments,	)	RM-11452
Television Broadcast Stations.	)	
(Sioux City, Iowa)	)	

## REPORT AND ORDER (Proceeding Terminated)

Adopted: October 7, 2008 Released: October 17, 2008

By the Chief, Video Division, Media Bureau:

- 1. The Commission has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a petition for rulemaking filed by KPTH License, LLC (KPTH), the licensee of KPTH-DT, pre-transition digital channel 49, and assignee of post-transition digital channel 44, Sioux City, Iowa, requesting the substitution of channel 49 for post-transition digital channel 44 at Sioux City. KPTH filed comments. No other comments were received.
- 2. We believe the public interest would be served by substituting DTV channel 49 for DTV channel 44 at Sioux City. This channel substitution will enable KPTH to expedite operation of a post-transition DTV facility because it has completed construction of the DTV channel 49 facility, is currently operating on DTV channel 49, and has a pending license application for pre-transition digital operation on channel 49. Furthermore, we find that allowing KPTH-DT to remain on DTV channel 49 post-transition would comply with the Commission's technical rules and would result in a substantial cost savings for KPTH.
- 3. DTV channel 49 can be substituted for DTV channel 44 at Sioux City, Iowa as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, at coordinates 42-35-12 N. and 96-13-18 W. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission's rules with the following specifications:

City and State	DTV Channel	DTV Power (kw)	Antenna HAAT (meters)	DTV Service Pop. (thous.)
Sioux City, Iowa	49	1000	588	558

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r)

<sup>&</sup>lt;sup>1</sup> Sioux City, Iowa, DA 08-1490 (released July 11, 2008).

<sup>&</sup>lt;sup>2</sup> File No. BLCDT-20061214ABC.

and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective 30 days after the date of publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

City and State Channel No.

Sioux City, Iowa 9, \*28, 39, 41, 49

- 5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, KPTH License, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV channel 49 in lieu of DTV channel 44.
- 6. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. § 801(a)(1)(A).
  - 7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.
- 8. For further information concerning the proceeding listed above, contact Shaun A. Maher, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman Chief, Video Division Media Bureau